

E-12936

ATTACHMENT

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File Number: 2005-1020

No. 05-40



PLANNING DIVISION  
CITY OF SUNNYVALE  
P.O. BOX 3707  
SUNNYVALE, CALIFORNIA 94088-3707

**NOTICE OF INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION**

This form is provided as a notification of an intent to adopt a Mitigated Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

**PROJECT TITLE:**

Application for a **Vesting Tentative Map and Special Development Permit** filed by **PTC Partnership**.

**PROJECT DESCRIPTION AND LOCATION (APN):**

**2005-1020 – Regis Homes of Northern California, Inc. [Applicant] PTC Partnership [Owners]:** Application for related proposals on a 7.2-acre site located at **108 South Wolfe Road** (near E Evelyn Ave) in an M-3/ITR/R-3/PD (General Industrial/Industrial to Residential/Medium-Density Residential/Planned Development) Zoning District. (Mitigated Negative Declaration) (APN: 213-02-008)

- **Special Development Permit** to allow a new 130-unit townhouse-style condominium project at an existing industrial site, and
- **Vesting Tentative Map** to create 130 condominium units

**WHERE TO VIEW THIS DOCUMENT:**

The **Mitigated Negative Declaration**, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on **Monday, January 9, 2006**. Protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

**HEARING INFORMATION:**

A public hearing on the project is scheduled for:

**Monday, January 9, 2006** at 8:00 p.m. in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

**TOXIC SITE INFORMATION:**

(No) listed toxic sites are present at the project location.

Circulated On December 14, 2005

Signed: Gerri Caruso  
Gerri Caruso, Principal Planner



PLANNING DIVISION  
CITY OF SUNNYVALE  
P.O. BOX 3707  
SUNNYVALE, CALIFORNIA 94088-3707

E-12936

ATTACHMENT C

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File Number: 2005-1020  
No. 05-40

## NEGATIVE DECLARATION

This **Mitigated Negative Declaration** has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

### PROJECT TITLE:

Application for a **Vesting Tentative Map and Special Development Permit** filed by **PTC Partnership**.

### PROJECT DESCRIPTION AND LOCATION (APN):

**2005-1020 – Regis Homes of Northern California, Inc.** [Applicant] **PTC Partnership** [Owners]: Application for related proposals on a 7.2-acre site located at **108 South Wolfe Road** (near E Evelyn Ave) in an M-3/ITR/R-3/PD (General Industrial/Industrial to Residential/Medium-Density Residential/Planned Development) Zoning District. (Mitigated Negative Declaration) (APN: 213-02-008)

- **Special Development Permit** to allow a new 130-unit townhouse-style condominium project at an existing industrial site, and
- **Vesting Tentative Map** to create 130 condominium units

### FINDINGS:

The Director of Community Development of the City of Sunnyvale, California, hereby determines that an environmental impact report is not required. There are sufficient environmental controls incorporated into the zoning regulations to ensure no significant detrimental effect.

The above determination is based upon the initial study conducted in this matter, information provided by the applicant in an "Application for Environmental Finding" that is based on information provided by the applicant in an "Application for Environmental Clearance" and is based on the fact that the use is in keeping with not in conflict with the adopted General Plan, The Zoning Ordinance and the Subdivision Ordinance. The sufficient environmental controls are incorporated in the Zoning and Subdivision regulations to ensure no significant detrimental effect by any proposed use, in the case of a PD overlay or any application for a Use Permit, SDP and arc. con. by city

This **Mitigated Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a Negative Declaration will be considered by the adopting authority, whose action on the protest may be appealed.

Circulated On December 14, 2005

Signed:   
Gerri Caruso, Principal Planner

Adopted On \_\_\_\_\_

Verified: \_\_\_\_\_  
Gerri Caruso, Principal Planner



California Department of Fish and Game  
**CERTIFICATE OF FEE EXEMPTION**

**De Minimis Impact Finding**

**PROJECT TITLE/LOCATION (INCLUDE COUNTY):**

The **Vesting Tentative Map and Special Development Permit** is located on **108 South Wolfe Road**, City of Sunnyvale, County of Santa Clara in an in an M-3/ITR/R-3/PD (General Industrial/Industrial to Residential/Medium-Density Residential/Planned Development) Zoning District. APN: 213-02-008

**PROJECT DESCRIPTION:**

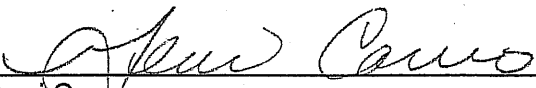
Application for a **Vesting Tentative Map and Special Development Permit** filed by **PTC Partnership**.

**FINDINGS OF EXEMPTION:**

1. This project is in an urban setting.
2. There is no alteration of land or effect on fish or wildlife.

**CERTIFICATION:**

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

  
Gerri Caruso

Title: Principal Planner, Community Development

Lead Agency: City of Sunnyvale

Date: December 14, 2005

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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City of Sunnyvale, Department of Community Development, Planning Division

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Project #: 2005-1020  
Project Address: 108 S. Wolfe Road  
Applicant: Regis Homes of Northern California

City of Sunnyvale  
Department of Community Development  
Planning Division  
P.O.Box 3707  
Sunnyvale, CA 94088-3707

Project #: 2005-1020  
Project Address: 108 S. Wolfe Road  
Applicant: Regis Homes of Northern California

1. Project Title: 130 Multi-Family residential unit development at an existing industrial site
2. Lead Agency Name and Address: City of Sunnyvale, Community Development Department, Planning Division
3. Contact Person and Phone Number: Troy Fujimoto, (408) 730-7443
4. Project Location: 108 S. Wolfe Road
5. Project Sponsor's Name and Address: Regis Homes of Northern California, Inc.  
901 Mariners Island Boulevard, Suite 700  
San Mateo, CA 94404
6. General Plan Designation: ITRMED Industrial to Residential Medium Density
7. Zoning: M3 General Industrial
8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. (Attach additional sheets if necessary))

The proposed project includes the demolition of two industrial buildings and to redevelop the site to include 130 multi-family residential condominium units in 24 buildings. The project will also include new landscaping and associated structures including a community room, garbage enclosures, and landscaping amenities.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings) The site is located adjacent to an existing lumber facility to the east, single family and multi-family residential units to the south, railroad tracks and industrial uses to the north, and industrial and multi-family uses to the west. In addition, there is a vehicular overpass immediately to the west.
10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement). None

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Project #: 2005-1020Project Address: 108 S. Wolfe RoadApplicant: Regis Homes of Northern California**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="radio"/> Aesthetics	<input type="radio"/> Hazards & Hazardous Materials	<input type="radio"/> Public Services
<input type="radio"/> Agricultural Resources	<input type="radio"/> Hydrology/Water Quality	<input type="radio"/> Recreation
<input type="radio"/> Air Quality	<input type="radio"/> Land Use/Planning	<input type="radio"/> Transportation/Traffic
<input type="radio"/> Biological Resources	<input type="radio"/> Mineral Resources	<input type="radio"/> Utilities/Service Systems
<input type="radio"/> Cultural Resources	<input checked="" type="radio"/> Noise	<input type="radio"/> Mandatory Findings of Significance
<input type="radio"/> Geology/Soils	<input type="radio"/> Population/Housing	

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☐

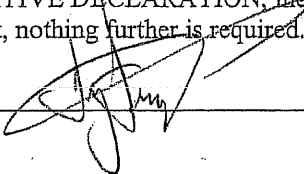
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. ☒

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐

Signature



Date

12/13/05

Troy Fujimoto  
Printed Name

City of Sunnyvale  
For (Lead Agency)

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 Project Address: 108 S. Wolfe Road  
 Applicant: Regis Homes of Northern California

**EVALUATION OF ENVIRONMENTAL IMPACTS**

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

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Project #: 2005-1020

Project Address: 108 S. Wolfe Road

Applicant: Regis Homes of Northern California

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**I. AESTHETICS.** Would the project:

a. Have a substantial adverse effect on a scenic vista?	0	0	0	X	<u>2.17</u>
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	0	0	0	X	<u>17</u>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	0	0	0	X	<u>2.5.94.112</u>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	0	0	0	X	<u>95.112</u>

**II. AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?	0	0	0	X	<u>3</u>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	0	0	0	X	<u>3. see discussion</u>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	0	0	0	X	<u>3</u>
d. Expose sensitive receptors to substantial pollutant concentrations?	0	0	0	X	<u>3.111</u>
e. Create objectionable odors affecting a substantial number of people?	0	0	0	X	<u>3.111</u>

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**III. BIOLOGICAL RESOURCES:**

- |   |   |   |   |   |                   |
|---|---|---|---|---|-------------------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service? | 0 | 0 | 0 | X | <u>2, 94, 111</u> |
| b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?   | 0 | 0 | 0 | X | <u>2, 94, 111</u> |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?  | 0 | 0 | 0 | X | <u>2, 111</u>     |
| d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?  | 0 | 0 | 0 | X | <u>2, 111</u>     |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?   | 0 | 0 | 0 | X | <u>41</u>         |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?   | 0 | 0 | 0 | X | <u>17</u>         |

**IV. CULTURAL RESOURCES.** Would the project:

- |   |   |   |   |   |           |
|---|---|---|---|---|-----------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?     | 0 | 0 | 0 | X | <u>59</u> |
| b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5? | 0 | 0 | 0 | X | <u>10</u> |



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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	0	0	0	X	<u>10</u>
d. Disturb any human remains, including those interred outside of formal cemeteries?	0	0	0	X	<u>10</u>
<b>V. LAND USE AND PLANNING.</b> Would the project:					
a. Physically divide an established community?	0	0	0	X	<u>12</u>
b. Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	0	0	0	X	<u>12</u>
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	0	0	0	X	<u>17</u>
<b>VI. MINERAL RESOURCES.</b> Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	0	0	0	X	<u>19</u>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	0	0	0	X	<u>19</u>
<b>VII. NOISE.</b> Would the project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	0	X	0	0	<u>116. See discussion</u>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	0	0	0	X	<u>119, see discussion</u>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	0	0	0	X	<u>16, 116</u>

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Project #: 2005-1020Project Address: 108 S. Wolfe RoadApplicant: Regis Homes of Northern California

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	0	0	0	X	<u>16, 111</u>
e. For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	0	0	0	X	<u>16</u>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	0	0	0	X	<u>16</u>
<b>VIII. POPULATION AND HOUSING.</b> Would the project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	0	0	X	0	<u>11, 111, see discussion</u>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	0	0	0	X	<u>11</u>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	0	0	0	X	<u>11</u>
<b>IX. PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a. Schools?	0	0	0	X	<u>95</u>
b. Other public facilities? Parks	0	0	X	0	<u>17, 18 See discussion</u>

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**X. MANDATORY FINDINGS OF SIGNIFICANCE**

- |    |  |   |   |   |   |                            |
|----|--|---|---|---|---|----------------------------|
| a. | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | 0 | 0 | 0 | X | <u>2, 94</u><br><u>112</u> |
| b. | Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?  | 0 | 0 | X | 0 | See<br>discuss<br>on       |
| c. | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?   | 0 | 0 | 0 | X | <u>94</u>                  |

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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## XI. GEOLOGY AND SOILS. Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

0 0 0 X 103-108

(ii) Strong seismic ground shaking?

0 0 0 X 103-108

(iii) Seismic-related ground failure, including liquefaction?

0 0 0 X 103-108

(iv) Landslides?

0 0 0 X 103-108

- b) Result in substantial soil erosion or the loss of topsoil?

0 0 0 X 103-108

- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

0 0 0 X 103-108

- d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?

0 0 0 X 103-108

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

0 0 0 X 103-108

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**XII. UTILITIES AND SERVICE SYSTEMS.** Would the project:

- |  |          |          |          |          |           |
|--|----------|----------|----------|----------|-----------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?  | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>20</u> |
| b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?   | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>20</u> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?  | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>24</u> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?   | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>25</u> |
| e) Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>20</u> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?   | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>22</u> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?  | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>22</u> |

Project #: 2005-1020Project Address: 108 S. Wolfe RoadApplicant: Regis Homes of Northern California

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**XIII. TRANSPORTATION/TRAFFIC.** Would the project:

- |  |          |          |          |          |   |
|--|----------|----------|----------|----------|---|
| a) Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>75</u>   |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?   | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>12, 82, 117</u>  |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>114</u>  |
| d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?  | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>76, 112</u>  |
| e) Result in inadequate emergency access?  | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>112</u>  |
| f) Result in inadequate parking capacity?  | <u>0</u> | <u>0</u> | <u>X</u> | <u>0</u> | <u>37, 112</u><br><u>see</u><br><u>discussi</u><br><u>on</u><br><u>12</u> |
| g) Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?   | <u>0</u> | <u>0</u> | <u>0</u> | <u>X</u> | <u>12</u>   |

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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## XIV. HAZARDS AND HAZARDOUS MATERIALS. Would the project?

- |  |   |   |   |   |                                |
|--|---|---|---|---|--------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?   | 0 | 0 | 0 | X | <u>UFC/UB</u><br><u>C/SVMC</u> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?   | 0 | 0 | 0 | X | <u>UFC/UB</u><br><u>C/SVMC</u> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | 0 | 0 | 0 | X | <u>UFC/UB</u><br><u>C/SVMC</u> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?                                    | 0 | 0 | 0 | X | <u>UFC/UB</u><br><u>C/SVMC</u> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | 0 | 0 | 0 | X | <u>UFC/UB</u><br><u>C/SVMC</u> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | 0 | 0 | 0 | X | <u>UFC/UB</u><br><u>C/SVMC</u> |
| g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | 0 | 0 | 0 | X | <u>UFC/UB</u><br><u>C/SVMC</u> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?   | 0 | 0 | 0 | X | <u>UFC/UB</u><br><u>C/SVMC</u> |

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**Applicant: Regis Homes of Northern California**

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**XV. PUBLIC SERVICES.** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection?	$\theta$	$\theta$	$\theta$	X	$\frac{UFC/U}{BC/SV}$ $MC$
---------------------	----------	----------	----------	---	-------------------------------

**XVI. PUBLIC SERVICES.** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Police protection?  $\theta \quad \theta \quad \theta \quad X \quad \underline{13}$

## XVII. RECREATION

a)	Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	0	0	X	0	17.18 See discussi on
----	--	---	---	---	---	--------------------------------

b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	0	0	X	0	17, 18 See discussi on
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## Issues and Supporting Information

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**XVIII. AGRICULTURE RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?

- |    |   |   |   |   |   |             |
|----|---|---|---|---|---|-------------|
| a. | Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use? | 0 | 0 | 0 | X | <u>2.95</u> |
| b. | Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | 0 | 0 | 0 | X | <u>2.95</u> |
| c. | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?  | 0 | 0 | 0 | X | <u>2.95</u> |

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**XIX. HYDROLOGY AND WATER QUALITY.** Would the project:

- |   |   |   |   |   |                           |
|---|---|---|---|---|---------------------------|
| a) Violate any water quality standards or waste discharge requirements?   | 0 | 0 | 0 | X | <u>24, 87</u>             |
| b) Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | 0 | 0 | 0 | X | <u>25</u>                 |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  | 0 | 0 | 0 | X | <u>24, 95</u>             |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?   | 0 | 0 | 0 | X | <u>24, 95</u>             |
| e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | 0 | 0 | 0 | X | <u>24</u>                 |
| f) Otherwise substantially degrade water quality?   | 0 | 0 | 0 | X | <u>24</u>                 |
| g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?  | 0 | 0 | X | 0 | <u>56, see discussion</u> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   | 0 | 0 | X | 0 | <u>56, see discussion</u> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?  | 0 | 0 | 0 | X | <u>56</u>                 |
| j) Inundation by seiche, tsunami, or mudflow?   | 0 | 0 | 0 | X | <u>24</u>                 |

Completed By: Troy FujimotoDate: December 13, 2005

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The project is redeveloping an existing industrial site that includes over 110,000 square feet of industrial and office uses with a 130 unit multi-family residential uses. Based on the expected trip generations of both uses there will be less trips with the new use, thus, the future vehicle emissions from site will be less than current conditions. Thus, this is not an impact.

**VII Noise (a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Within the Noise Sub-element of the General Plan establishes noise contours that may result in the residential units being subjected to noise levels exceeding the maximum permitted by the goals and ordinances of the City of Sunnyvale. Outdoor noise thresholds identified in the Noise Sub-element of the General Plan include a target of 60 decibel (db) for common recreation levels (except for small balconies) and if outdoor noises are train generated, then the threshold is 70db. Indoor noise threshold include 45dB for interior spaces and an attempt to achieve a maximum instantaneous noise level of 50dBA in bedrooms and 55dBA in other areas when impacted from train noise.

An acoustical assessment was conducted by Edward L. Pack Associates, Inc. regarding the potential for noise impacts on residential units and open space areas. The acoustical assessment concluded that exterior and interior noise levels would exceed the General Plan Action Statement noted above due to proximity to Wolfe Road, Evelyn Avenue, and railroad tracks. Levels would exceed the goal of 60dB by up to 9dB for a total future estimate of up to 69dB. While not all future exterior noise levels can be mitigated to 60dB or less, the larger common open areas can be mitigated as follows:

**MITIGATION MEASURE:**

- A minimum three (3) foot tall soundwall shall be constructed along Wolfe Road from Evelyn Avenue north to the Wolfe Road bridge.

In addition, interior noise levels would also be impacted by the same levels of noise. To mitigate interior noise levels so that they do not exceed the City noise standard of 45dB the following mitigation measure shall be complied with:

**MITIGATION MEASURE:**

- Install windows and glass doors rated minimum Sound Transmission Class (STC) 29 at all noise impacted living spaces as noted below:
  - All windows and glass doors of first, second, and third floor living spaces within 200 feet of the centerline of Evelyn Avenue and with a direct or side view of the road.
  - All windows and glass doors of first, second, and third floor living spaces within 225 feet of the centerline of Wolfe Road and with a direct or side view of the road.

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- All windows and glass doors of living spaces within 190 feet of the centerline of the UPRR/Caltrain tracks and with a direct or side view of the railroad (soundwall).

The site is also impacted from railroad noise as it is located adjacent to an active railroad line. To protect multi-family residential uses from excessive train noise, the Noise Sub-element of the General Plan includes Action Statement 3.6A.2c, which attempts to achieve a maximum instantaneous noise level of 50 dB in bedrooms and 55dB in other living areas. The following mitigation measures shall be complied with to meet these noise levels:

## MITIGATION MEASURE:

- Install windows rated minimum Sound Transmission Class (STC) 29 at first floor bedrooms within 115 feet of the centerline of the railroad tracks. Install windows and glass doors rated minimum 24 STC at other living spaces within 115 feet of the centerline of the railroad tracks.
- Install windows rated minimum STC 36 at second and third floor bedrooms within 115 feet of the center line of the railroad tracks. Install windows rated STC 29 at second and third floor bedrooms between 115 feet and 190 feet of the centerline of the railroad tracks.
- Install windows and glass doors rated minimum STC 31 at second and third floor other living spaces within 115 feet of the centerline of the railroad tracks. Install windows and glass doors rated minimum STC24 at second and third floor bedrooms between 115 and 190 feet of the centerline of the railroad tracks.

The following mitigation measures also apply to the project:

## MITIGATION MEASURE:

- While individual windows are not require to be permanently affixed, mechanical ventilation systems are required for all units to ensure high level of comfort for homeowners with or without closed windows that attenuate sound levels.
- If any openings are created in the building shell, a qualified acoustician shall be consulted and recommendations shall be implemented to maintain the acoustical integrity of the building.
- Sliding window panels must form an air-tight seal when in the closed position and the window frames must be caulked to the wall opening around their entire perimeter with a non-hardening caulking compound to prevent noise infiltration. Exterior doors must seal air-tight around the full perimeter when in the closed position.
- Because dual-pane window assemblies have inherent noise reduction problems because of the air space between the panes and because different manufacturers have different capabilities, an acoustical test report of all sound rated windows and doors shall be reviewed by a qualified acoustician to ensure that the selected windows and doors will adequately reduce noise levels to acceptable levels.
- To ensure that construction meets the acceptable noise levels, post construction sound readings shall be made in the affected areas to ensure proper noise levels. If noise levels are exceeded, corrective action to bring noise down to acceptable levels will be required.

**VII Noise (b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

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The project is located adjacent to an active freight and commuter rail line. To review the impacts of groundborne vibration onto the project, a vibration assessment study was completed for the project. The results of the study was that due to the distance separation of the structures from the rail lines and the design of the construction of the buildings, the vibration levels would not exceed the allowed threshold as established by the Federal Transit Administration (FTA). Thus, there is no impact.

**VIII Population and Housing (a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

The proposed project will add 130 units to the site, which will add an insignificant population growth to the City. The project by itself will not encourage further development; thus, will not spur population growth in the area. In addition, it is replacing a job producing site that influences population growth. Thus, this impact can be considered less than significant.

**IX Public Services (b. Other public facilities, Parks)**

The proposed project will result in a slight increase in the use of existing park facilities. The project will comply with the City's Park Dedication Fee requirement, which includes a fee of \$7,350.75 per unit. The proposed project will generate funds for the citywide acquisition and improvement of park facilities to offset the increase of park facilities usage. In addition, the project will provide open space and amenities on-site for resident usage. Thus, this can be considered a less than significant impact.

**X Mandatory Findings of Significance (b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?**

The project could ultimately result in cumulative impacts on public facilities, infrastructure, and services as it is adding a small population to the City and increasing loads on various facilities. However, the project will be paying appropriate fees and doing infrastructure improvements to accommodate any future impacts. Thus, this can be considered a less than significant impact.

**XIII Transportation/Traffic (f) Result in inadequate parking capacity?**

The proposed project is seven (7) spaces short of meeting the project parking requirement. However, the project is proposing tandem parking and if this could be counted as two parking spaces, the project would meet the parking standards. In addition, the site does not meet the overall parking standards by 2%, thus, this can be considered a less than significant impact.

**XVII Recreation (a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be**

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accelerated? & (b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

See discussion in Section IX (b). In addition, recreational facilities improvements at the site will not result in any impacts onto the surrounding area as all improvements on the site will be in accordance with all City codes and requirements.

**XIX Hydrology and Water Quality (g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map), and (h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows)**

The proposed project will add buildings and structures into a 100-year flood zone area. However, the project will be required to design and construct the residential building to be outside of the 100-year flood zone area by raising the base elevation of the structures. As such this can be considered less than significant.

**ENVIRONMENTAL CHECKLIST REFERENCE LIST**

**Note:** All references are the most recent version as of the date the initial Study was prepared:

1. **City of Sunnyvale General Plan:**
2. Map
3. Air Quality Sub-Element
4. Community Design Sub-Element
5. Community Participation Sub-Element
6. Cultural Arts Sub-Element
7. Executive Summary
8. Fire Services Sub-Element
9. Fiscal Sub-Element
10. Heritage Preservation Sub-Element
11. Housing & Community Revitalization Sub-Element
12. Land Use & Transportation Sub-Element
13. Law Enforcement Sub-Element
14. Legislative Management Sub-Element
15. Library Sub-Element
16. Noise Sub-Element
17. Open Space Sub-Element.
18. Recreation Sub-Element
19. Safety & Seismic Safety Sub-Element
20. Sanitary Sewer System Sub-Element
21. Socio-Economic Sub-Element
22. Solid Waste Management Sub-Element
23. Support Services Sub-Element
24. Surface Run-off Sub-Element
25. Water Resources Sub-Element
26. **City of Sunnyvale Municipal Code:**
27. Chapter 10
28. Zoning Map
29. Chapter 19.42. Operating Standards
30. Chapter 19.28. Downtown Specific Plan District
31. Chapter 19.18. Residential Zoning Districts
32. Chapter 19.20. Commercial Zoning Districts
33. Chapter 19.22. Industrial Zoning Districts
34. Chapter 19.24. Office Zoning Districts
35. Chapter 19.26. Combining Zoning Districts
36. Chapter 19.28. Downtown Specific Plan
37. Chapter 19.46. Off-Street Parking & Loading
38. Chapter 19.56. Solar Access
39. Chapter 19.66. Affordable Housing
40. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses
41. Chapter 19.94. Tree Preservation
42. Chapter 19.96. Heritage Preservation
- Specific Plans**
43. El Camino Real Precise Plan

44. Lockheed Site Master Use Permit
45. Moffett Field Comprehensive Use Plan
46. 101 & Lawrence Site Specific Plan
47. Southern Pacific Corridor Plan

**Environmental Impact Reports**

48. Futures Study Environmental Impact Report
49. Lockheed Site Master Use Permit Environmental Impact Report
50. Tasman Corridor LRT Environmental Impact Study (supplemental)
51. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
52. Downtown Development Program Environmental Impact Report
53. Caribbean-Moffett Park Environmental Impact Report
54. Southern Pacific Corridor Plan Environmental Impact Report

**Maps**

55. City of Sunnyvale Aerial Maps
56. Flood Insurance Rate Maps (FEMA)
57. Santa Clara County Assessors Parcel
58. Utility Maps (50 scale)

**Lists/Inventories**

59. Sunnyvale Cultural Resources Inventory List
60. Heritage Landmark Designation List
61. Santa Clara County Heritage Resource Inventory
62. Hazardous Waste & Substances Sites List (State of California)
63. List of Known Contaminants in Sunnyvale

**Legislation/Acts/Bills/Codes**

64. Subdivision Map Act
65. Uniform Fire Code, including amendments per SMC adoption
66. National Fire Code (National Fire Protection Association)
67. Title 19 California Administrative Code
68. California Assembly Bill 2185/2187 (Waters Bill)
69. California Assembly Bill 3777 (La Follette Bill)

**ENVIRONMENTAL CHECKLIST REFERENCE LIST**

**Note:** All references are the most recent version as of the date the initial Study was prepared:

- 70. Superfund Amendments & Reauthorization Act (SARA) Title III

**Transportation**

- 71. California Department of Transportation Highway Design Manual
- 72. California Department of Transportation Traffic Manual
- 73. California Department of Transportation Standard Plan
- 74. California Department of Transportation Standard Specification
- 75. Institute of Transportation Engineers - Trip Generation
- 76. Institute of Transportation Engineers Transportation and Traffic Engineering Handbook
- 77. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
- 78. California Vehicle Code
- 79. Traffic Engineering Theory & Practice by L. J. Pegnataro
- 80. Santa Clara County Congestion Management Program and Technical Guidelines
- 81. Santa Clara County Transportation Agency Short Range Transit Plan
- 82. Santa Clara County Transportation Plan
- 83. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- 84. Santa Clara County Sub-Regional Deficiency Plan
- 85. Bicycle Plan and Pedestrian Plan (Fair Oaks Tasman)

**Public Works**

- 86. Standard Specifications and Details of the Department of Public Works
- 87. Storm Drain Master Plan
- 88. Sanitary Sewer Master Plan
- 89. Water Master Plan
- 90. Solid Waste Management Plan of Santa Clara County
- 91. Geotechnical Investigation Reports
- 92. Engineering Division Project Files
- 93. Subdivision and Parcel Map Files

- 94. Field Inspection
- 95. Environmental Information Form
- 96. Annual Summary of Containment Excesses (BAAQMD)
- 97. Current Air Quality Data
- 98. Chemical Emergency Preparedness Program (EPA) Interim Document in 1985?)
- 99. Association of Bay Area Governments (ABAG) Population Projections
- 100. Bay Area Clean Air Plan
- 101. City-wide Design Guidelines
- 102. Industrial Design Guidelines

**Building Safety**

- 103. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- 104. Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- 105. Uniform Plumbing Code, (Including the California Plumbing Code)
- 106. Uniform Mechanical Code, (Including the California Mechanical Code)
- 107. National Electrical Code (Including California Electrical Code)
- 108. Title 16 of the Sunnyvale Municipal Code

**Additional References**

- 109. USFWS/CA Dept. F&G Special Status Lists
- 110. Project Traffic Impact Analysis
- 111. Project Description
- 112. Project Development Plans
- 113. Santa Clara County Airport Land Use Plan
- 114. Federal Aviation Administration
- 115. Applicant Site and Architectural Plans
- 116. Acoustic Analysis, January 20, 2005
- 117. Traffic Analysis Memo, October 12, 2005
- 118. Phase II ESA, March 2005
- 119. Vibration Assessment Study, November 8, 2005